

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X Index No.: 710/2011  
LOREDANA INGENITO,

Plaintiff,

- against -

RIRI USA INC. and BENJAMIN HOWELL, II,

Defendants.

-----X  
State of New York, County of Queens

MaryTerese R. Maldonado, being duly sworn, deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. Deponent was unable with due diligence to find and serve the SUMMONS AND VERIFIED COMPLAINT upon L. BENJAMIN HOWELL II., recipient or a person of suitable age and discretion having called there on 1) March 1, 2011 @ 4:30 p.m., 2) March 4, 2011 @ 12:43 p.m., 3) March 8, 2011 @ 10:12 a.m. at 350 Fifth Avenue, New York, New York 10118

INDIVIDUAL By delivering a true copy of each to said recipient personally, deponent knew the  
[ ] person so served to be the person described as said person herein.

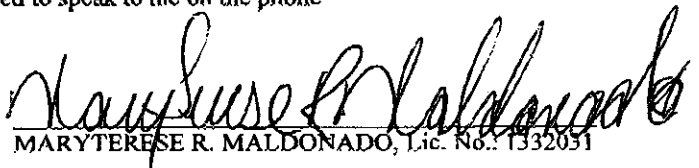
SUITABLE By delivering a true copy personally of each to  
AGE PERSON a person of suitable age and discretion. Said premises is recipient's  
[ ] [ ] actual place of business [ ] dwelling house (usual place of abode) within state

MAILED COPY On deponent completed service by depositing a true copy of each  
[ ] document to the above mentioned address in a postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

DESCRIPTION A description of the premises and details of attempted service is as follows:  
OF PREMISES The Empire State Building located at 350 Fifth Avenue, NY, NY, light gray building, upon entry  
AND DETAILS to the building the escalator is to the right of the front doors, there is a store to the left of the  
OF ATTEMPTED front doors, a small desk directly across from front doors and the desk where the security called  
SERVICE up for L. Benjamin Howell was around the hallway past the elevator banks which sat four  
[ X ] security guards sitting in front of computers with small round digital cameras to prepare photo identification passes for visitors. Each of the three attempts were made to the security guards at said desk who could not allow me upstairs unless given permission by the office of L. Benjamin Howell II but they called up to his office for me as follows: on the first attempt of March 1, 2011 a woman claiming to be the secretary of Mr. Howell told security she had to ask her boss, Mr. Howell if she could get the papers and would call them back then when she called back she asked to speak to me and when I got on the phone she said "she was Mr. Howell's secretary and was told to tell me no I cannot come upstairs nor would anyone come down and she in particular was told she wasn't allowed to come down for the papers", on March 4, 2011 and March 8, 2011 when security called up they said the secretary said "no she would not come down nor was I allowed upstairs to the office and refused to speak to me on the phone"

Sworn to before me on this 24<sup>th</sup>  
day of May, 2011

Notary Public

  
MARYTERESE R. MALDONADO, Lic. No.: 1332031

ARLENE C. RIVERA  
Notary Public, State of New York  
No. 018164570  
Qualified in Kings County  
Commission Expires April 23, 2015